# GOVERNMENT OF INDIA
# COMMERCE AND INDUSTRY
# LOK SABHA

UNSTARRED QUESTION NO:1442
ANSWERED ON:02.08.2005
ANTI DUMPING RULES
Dhanaraju Dr. K.

**Will the Minister of COMMERCE AND INDUSTRY be pleased to state:**

(a) whether it is stipulated in the International Law that no country can export any commodity at the price which is less than half the selling price in the country of its manufacture;

(b) if so, the details thereof;

(c) whether this rule is being strictly followed by the countries exporting goods;

(d) if not, the details of the countries who has violated the provisions of stipulated international law; and

(e) if not, the steps taken or proposed to be taken by the Government to control anti dumping?

## Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY ( SHRI E.V.K.S. ELANGOVAN)

(a) & (b): Under the World Trade Organization (WTO) Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade (GATT), 1994, commonly known as the Anti-dumping Agreement, Article 2.1 provides that a product is to be considered as being dumped, i.e. introduced into the commerce of another country at less than its normal value, if the export price of the product exported from one country to another is less than the comparable price, in the ordinary course of trade, for the like product when destined for consumption in the exporting country. In other words, a product is said to be dumped in the importing country when export price of the product is less than its value prevalent in the exporting country in the ordinary course of trade. In order to offset or prevent dumping a WTO Member may levy on any dumped product an anti-dumping duty, which needs to be worked out in accordance with the provisions of the Anti-Dumping Agreement.

(c): There have been instances where dumping of goods has been found by members. However, if an importing member finds that a product is being dumped in its market by the exporters of another members, the importing member can impose anti-dumping duty on such a product as per the rules and procedures prescribed in the Anti-dumping Agreement.

(d)&(e): Anti-dumping investigations in India are conducted by the Directorate General of Anti-dumping and Allied Duties (DGAD) which functions in the Department of Commerce, pursuant to the provisions made in Sections 9A, 9B and 9C of the Customs Tariff Act, 1975 as amended, and the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury ) Rules, 1995 which have been drawn in line with the WTO Agreement on Anti-dumping.

On the basis of applications received from the domestic industry alleging dumping and on suo-moto basis, the DGAD has so far initiated 185 anti-dumping investigations involving various countries. Out of these, final findings have been issued in 162 cases and preliminary findings in 2 cases. Investigations are in progress in 12 cases for issue of preliminary / final findings. 9 cases have been closed after initiation. Except in four cases, definitive duties were imposed by the Department of Revenue, as recommended by the DGAD, on products imported from countries namely China PR, EU (including 25 member countries), Chinese Taipei, Korea RP, Japan, USA, Singapore, Indonesia, Thailand, Russia, Brazil, Iran, Malaysia, Hong Kong, South Africa, Ukraine, Canada, Saudi Arabia, UAE, Turkey, Kazakhstan, Mexico, Macedonia, Nepal, Bangladesh, Belarus, Bulgaria, Georgia, Nigeria, Oman, Philippines and Qatar in accordance with the WTO Anti-dumping Agreement.